



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Branch et al.) Examiner
Serial No. 09/870,023) Philogene
Filed 5/30/01)
INTERBODY FUSION GRAFTS) Group Art Unit
AND INSTRUMENTATION) 3731

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

December 1 2004
(Date of Deposit)

James B. Myers

Name of Registered Representative

James B. Myers
Signature

RESPONSE TO OFFICE ACTION
SUBMITTED UNDER 37 C.F.R. §1.111

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated July 1, 2004, the Applicants respectfully request entry of the following amendments and consideration of the accompanying remarks. The Applicants filed concurrent with this Response a Request for an Extension of Time to respond this Office Action and a Petition to Accept an Unintentionally Delayed Priority Claim. Additionally, please provide any further extensions of time that may be necessary and charge any fees that may be due to Deposit Account No. 23-3030, but do not include any payment of issue fees that are or may become due.

Amendments to the claims are reflected in the listing of the claims, which begins on page 2 of this submission.

Amendments to the specification begin on page 8 of this submission.

Remarks begin on page 9 of this submission.

Response to Office Action Dated 07-01-04
Branch et al. USSN 09/870,023
004002-002533JBM.315402

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Attorney Docket No. 4002-2533

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submission or other formal matters, which may be addressed in that fashion to facilitate allowance of this application.

Respectfully submitted,

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